

Message Text

UNCLASSIFIED

PAGE 01 WARSAW 02463 231640Z
ACTION SCS-06

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-----104943 240504Z /11

R 231343Z MAR 78
FM AMEMBASSY WARSAW
TO SECSTATE WASHDC 4071

UNCLAS WARSAW 2463

EO 11652N/A
TAGS: CDES, PL
SUBJ: TRANSMITTAL OF ESTATE TO US CITIZEN: JOANNA TARNOWSKI

1. CONSULAR OFFICER WAS RECENTLY VISITED BY MR. JERZY MAKOWSKI, A POLISH ATTORNEY ACTING ON BEHALF OF US CITIZEN JOANNA TARNOWSKI, WHO IS CURRENTLY RESIDING IN THE UNITED STATES.

2. MRS. TARNOWSKI HAS INHERITED THE ESTATE OF HER LATE HUSBAND, US CITIZEN ZYGMUNT STANLEY TARNOWSKI, WHO WAS ALSO RESIDING IN THE UNITED STATES AT THE TIME OF HIS DEATH. THE ESTATE, WHICH ORIGINALLY BELONGED TO MR. TARNOWSKI'S FATHER, CONSISTS OF PERSONEL PROPERTY IN THE AMOUNT OF 1,790,800 ZLOTYS (\$53,939.75). ACCORDING TO MR. MAKOWSKI, SINCE MRS. TARNOWSKI IS A US CITIZEN, AS WAS HER HUSBAND, THE POLISH COURT HAS RULED THAT IT DOES NOT HAVE THE AUTHORITY TO TRANSMIT THE ESTATE DIRECTLY TO MRS. TARNOWSKI. THE COURT IS WILLING HOWEVER, ON THE BASIS OF THE POLISH CIVIL PROCEDURE CODE, AND ON THE BASIS OF THE CONSULAR CONVENTION OF MAY 31, 1972, TO TURN OVER THE ESTATE TO AN AMERICAN CONSULAR OFFICER, WHO WOULD THEN, AFTER CONVERTING THE ESTATE INTO DOLLARS THROUGH THE LOCAL BANKING FACILITIES, ARRANGE FOR ITS TRANSMITTAL TO MRS. TARNOWSKI.

3. BASED ON CONSULAR OFFICER'S DISCUSSION WITH MR. MAKOWSKI, IT APPEARS THAT, AS A RESULT OF THE POLISH COURT'S RULING, THE ONLY UNCLASSIFIED

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WAY MRS. TARNOWSKI WILL BE ABLE TO RECEIVE THE ESTATE IS IF THE EMBASSY ACTS AS A FINANCIAL INTERMEDIARY BETWEEN HER AND THE COURT. AS CONSULAR OFFICERS ARE NOT PERMITTED TO ACT IN SUCH A FIDUCIARY CAPACITY WITHOUT AUTHORIZATION FROM THE DEPARTMENT, THE DEPARTMENT'S GUIDANCE IS REQUESTED IN THIS CASE.
SCHAUFLE

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NNN

Message Attributes

Automatic Decaptioning: X
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Draft Date: 23 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
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Disposition Approved on Date:
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Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Status: NATIVE
Subject: TRANSMITTAL OF ESTATE TO US CITIZEN: JOANNA TARNOWSKI
TAGS: CDES, PL
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